

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 97-155-T - ORDER NO. 1999-165  
MARCH 5, 1999

IN RE: Establishment of Docket for New	)	ORDER	✓WR
Transportation Rules and Regulations.	)	PROMULGATING	
	)	CHARTER BUS	
	)	REGULATIONS	

This matter comes before the Public Service Commission of South Carolina (the Commission) pursuant to a hearing on proposed regulations for charter buses.

A public hearing was held on the matter on March 2, 1999 at 11:00 AM in the Commission's hearing room, with the Honorable Philip T. Bradley, presiding. F. David Butler, General Counsel represented the Commission Staff, and presented the testimony of L. George Parker, Jr., Manager of the Commission's Transportation Department. All documents submitted to the State Register were submitted into the evidence of this case. We note that notice of the public hearing was published in the State Register.

After due consideration, we hereby promulgate the Regulations proposed by the Staff in its testimony. We believe that the regulations meet the criteria of need and reasonableness set out in S.C. Code Ann. Section 1-23-115(C)(1) through (11), except items (4) through (8). A full description of the regulations, their purpose, and the legal authority for the regulations was presented in the State Register. We hold that the promulgation of these regulations is in the public interest, and that they should be implemented as quickly as possible under the law.

L. George Parker, Jr. testified that it was necessary for the Commission to amend its motor carrier regulations to comply with the Federal Transportation Equity Act for the 21<sup>st</sup> Century (the Act). This Act preempts States from economic regulation of charter buses. The Act does permit States to regulate the insurance and safety practices of charter buses. According to witness Parker, the proposed amendments to the regulations would allow the Commission to regulate charter buses within the bounds of the Federal Law.

Parker also testified that the citizens of the State of South Carolina would benefit from the regulations in that they provide assurance that charter buses in South Carolina will benefit by having charter buses subject to insurance and safety regulation by the Commission, and that a lack of such regulation would be detrimental to the public health and welfare.

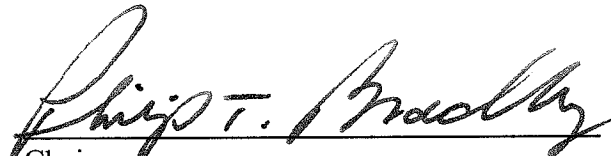
Parker noted that the same regulations proposed by the Staff as permanent regulations have already been in effect as emergency regulations for approximately six months, and that no comments have been received from the public, nor has any comment from the public been received during the comment period on the permanent regulations mandated by State law.

The regulations specifically define a “charter bus” and establish a “charter bus certificate,” which may be granted upon a showing of the fulfillment of the Commission’s insurance requirements and the possession of an acceptable safety rating. Among other things the regulations allow inspections of books and records of holders of such certificates, and provide grounds for revocation of such certificates.

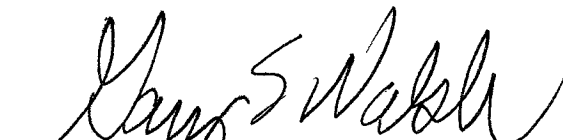
All in all, we hold that the regulations should be promulgated as submitted, that the submitted regulations meet all State legal requirements, and that it is in the public interest to promulgate such regulations. The regulations are hereby promulgated as submitted by the Commission Staff.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)